



Docket No.: 392.1813

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kazunori BAN et al.

Serial No. 10/648,192

Group Art Unit: 2624

Confirmation No. 3486

Filed: August 27, 2003

Examiner: Carter, Aaron W.

For: DEVICE FOR DETECTING POSITION/ORIENTATION OF OBJECT

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance in the Office Action, mailed May 29, 2007. Applicant provides the following Comments thereon, in accordance with 37 CFR 1.104(e) and MPEP 1302.14.

As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is submitted that the Examiner's Statements do not meet these standards and, instead, raises "possible misinterpretations ... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded.

The reasons for allowance include descriptions and characteristics of a prior art reference, which are submitted to be improper content of "reasons for allowance," as specified in 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14. In particular, a discussion of what the prior art teaches is not a suitable reason for allowance.

It is submitted that the claims are not constrained by such limitations as may be implied from the Examiner's Statement, as are noted above, and, instead, that the claims speak for themselves as to what features are included therein and thus are their own best evidence as to the reasons for allowance of same.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Aug 7, 2007

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